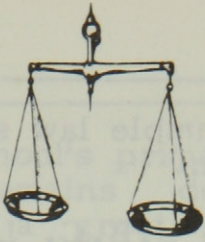


Quid Novi



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LAW AT U.B.C.

Practically Speaking: A Look at UBC Law School

by Craig Wallace

I was apprehensive, to say the least, when I transferred last year from McGill to UBC Law School. Quite apart from the social upheaval, I was anxious about the possible academic upheavals that awaited me. Did we all learn the same things in first year common law? Or had the faculty been playing a cruel joke and making up all that stuff? Had they done Carlill v. The Carbolic Smoke Ball Company?

Of course, they had. And despite a few misgivings at having left many friends behind, I came to at least one happy conclusion: if nothing else, the students are the same.

I suppose students are the great constants of the world. They seem to have the same burdened shuffle whether walking to classes across Peel Street or across the cloisters at Kings College. In any case, I am happy to report that U.B.C. Law School is made up of roughly the same mix of serious scholars, radical theorists, half-hearted modera-

ates and serious drinkers as McGill. (To give the reader some perspective here I should explain that I consider myself, somewhat vainly perhaps, a member of the last category).

Academically, however, the schools are quite different in many respects. U.B.C. is, of course, a larger school, having some 700 students. And it does not enjoy the benefit of being able to offer both common law and civil law degrees. Consequently the school bears a closer resemblance to the assembly-line law school we all fear so much. 230 graduates a year are handed their diplomas to go forth and litigate. Most do so in this jurisdiction. This is a chilling thought for those already in practice.

One area of similarity which struck me immediately is that here too the debate

is heated between two groups: those who see legal education as practical preparation for the day to day tasks of a lawyer, and those who see it as a chance to wrestle with legal theorists and study the law in its purest form. Whatever your perspective, it is easy to sympathize with law school which must strive, under strained budgets, to provide a legal education which will somehow prepare a student for the Bar. U.B.C., however, is noticeably more committed to the first approach, practical training, than is McGill.

McGill has the distinction, for common law students at least, of being a law school without a jurisdiction. Consequently it tends to take, whether wittingly or not, a very theoretical approach to the study of law. This approach is essentially the same as

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LSA News

Ian "I'm talking about capital-intensive industry" Bandeen was appointed L.S.A. speaker during last week's L.S.A. meeting. Although Bandeen was the only applicant for the demanding position, he exhibited great willingness to learn Robert's Rules of Order, and comported himself admirably throughout his first stint as L.S.A. speaker.

During the meeting, the executive also considered the proposal of hiring a full-time job placement officer, and elected to appoint a three member ad hoc committee to study the issue. The L.S.A. is currently gearing up for marathon budget sessions next week that will be held on Tuesday and Wednesday.

Pearl Eliadis

Dean's Reception

Thursday, October 6,
8 p.m., Student Union
Ballroom

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that taught by the major law schools for over a century, beginning with Harvard: law is a science and can be best understood through a systematic study of the cases helped along by our old friend the Socratic method.

But to do this, some would say, is to ignore much of what lawyers actually do.

The last ten years at U.B.C., on the other hand, have seen the rise of courses such as Trial Advocacy, Negotiations, and Client Counselling. The appearance of these courses represents an increased emphasis on the practical aspects of legal training. According to its director, Professor Jim Taylor, the Trial Advocacy programme is the most extensive in Canada, with space for 120 students. It is almost always full. The course has a lecture/lab format with ten lab sections each taught by a different professor or practitioner. In the lab the students are asked to play the role of counsel, witness or judge in a simulated trial and are then reviewed by the professor and the students. The object, explains Professor Taylor, is not only to expose the students to constructive criticism, but also to give them some experience in analyzing advocacy mistakes, a skill they should carry into practice with them.

A more comprehensive example of U.B.C.'s commitment to practical training is the clinical programme. Two part-time clinics are offered, one in Family Law and one in Criminal Law, each worth 3.0 units. (A unit is the equivalent of two credits at McGill). These clinics are taken as part of a regular term. The Clinical Term, on the other hand, is a full-term course worth 7.5 units, of which

this humble law student is a veteran.

The U.B.C. Legal CLinic (Clinical Term) began in the fall of 1975 with twelve students, as an experiment in providing practical training. Today it is a permanent commitment open to eighteen students, selected at random from applicants. The students spend a full term working in the Clinic, which functions as a small law firm, taking no regular law school courses. They work under the supervision of the Clinic Director and three other lawyers, two of whom attend full time, the other part time.

Each student is articulated to a practicing lawyer (no, it does not count towards admission to the bar) and is under his or her supervision as well. This enables the student to make such court appearances as are permitted under the Barristers and Solicitors Act and the rules of the Law Society.

During the term the students are given seminars in interviewing, legal drafting, negotiations, direct and cross examination, ethics, trial advocacy, enforcement of judgements and several other practical subjects. The students are given an examination at the end of the term which results in a numerical grade for 1.5 of the 7.5 units. (The other 6 units are evaluated on a pass/fail basis.)

The clinic handles about 950 cases a year and each student will have roughly 20 files at any one time. The cases are various including: Theft under \$200, Assault, Impaired Driving, Small Claims, Divorce, Landlord and Tenant and Immigration. The clinic generally accepts clients who cannot afford a lawyer, but because the Faculty views the clinic primarily as a teaching device, clients with an interesting

and instructive legal problem are sometimes accepted on that basis alone.

I found the clinical term not only a refreshing break from classes but also a valuable insight into the realities of the practice of law. I had never before interviewed a client, addressed a judge or cross-examined a witness. These are first time experiences which, I can assure you, make writing a three hour law exam look like a Labour Day picnic ("You're in front of Machine-Gun Macarthy? Poor devil. Baptism by fire".)

I learned that some of the most troubling problems facing a lawyer are not legal but human. The clients usually expect justice by 5:00 p.m. that day. And they don't tell you about material parts of the case, so the first you hear about it is from the other side in the witness box. Or they lie to you. Big, important, obvious lies, but they will look you straight in the eye and swear they are telling the truth. It is your job to "get them off", not poke your nose in where it doesn't belong, they will tell you. That is what lawyers are for. And you have to know your judge. Some are legal beavers and want to hear you spout every leading authority on the subject, especially if you are a student. Others will doze off at the mere sight of a volume of the D.L.R.'s. Coming prepared for one kind of judge and getting the other can be fatal.

The Clinical Term is not without its critics however. There are students, faculty members and practitioners alike who consider the clinic a duplication of articles, and feel the development of lawyering skills ought to be left for practice. Some of my fellow students feel that since

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they will be exercising these skills for the rest of their careers there is no hurry to develop them now; that law school is for establishing the doctrinal and theoretical basis for practice at the Bar.

While there may be some truth in that view, it is unlikely that a student will get the same close supervision and guidance during articles as in the clinic. Most lawyers are simply too busy with their own problems to spend much time with their students. In the Clinical Term, however, one of the lawyers attends at every trial conducted by the students and later meets with the student to discuss the student's preparation, advocacy and legal argument.

As Dean Peter Burns of U.B.C. Law School explains: "The clinic is designed to enable you to analyse and conceptualize the sorts of skills that you are going to develop when you are in practice while still a student. I think most practitioners would agree that that level of analysis is not one which they usually attempt to achieve with students in the articling process. There is usually no time. Dean Burns is quick to point out that this new emphasis on practical skills will not be at the expense of the more traditional aspects of law school. He has resisted government pressure to expand the clinical role of the school for fear of putting services to the public over the pedagogical purposes of the clinic. "It is difficult for me to see how we could extend the functional programme much farther without becoming too closely associated with the Law Society's role, without becoming a trade school," explains Burns.

The school's primary emphasis remains doctrine. "You get a great deal of this in Contracts, Torts, Constitutional Law etcetera" says Burns. In addition, the emphasis on theoretical courses is increasing. "In recent years we have committed ourselves to a shift towards a number of theoretical courses, and if you look at the curriculum you will find Jurisprudence, Comparative Law and Legal History." The Dean is also quick to emphasize the importance of making choices available to students after first year, so that they may pursue the sort of education they prefer, whether theoretical, practical or both.

That happens to suit me. Somewhere in second year this law student developed a "let's get on with it" attitude. I was disturbed to find myself growing bored with the same hide-and-seek game with issues, ratio and dicta and that had held my interest in first year. I was in need of a change and the Clinical Term provided one. I dare say it breathed new life into a sagging law school career. I now find myself looking at third year with renewed vigor. I am enjoying third year.

Of course, a clinical term is not for everybody. Given the choice many students prefer to study law in the more traditional method. Those who go on to become law professors and judges will no doubt find that background indispensable. But the clinical programme was initiated as a direct response to a need for competent negotiators, drafters and trial practitioners as well as doctrinal and theoretical analysts. Since the majority of graduates go into practice it makes sense that their education should offer the option of studying the skills they will use.

It is interesting to note

that Derek Bok, former Dean of Harvard Law School, places much of the blame on law schools as he laments some of the glaring problems of the American Legal System. In an article in a recent issue of Harvard Magazine, Bok compares the American Legal System to the American Health Care System of twenty years ago. There is far too much emphasis on the Law and far too little on the lawyer's ultimate service to the community. He calls on law schools to make use of clinical programmes, among other reforms, noting the disturbing tendency of students to lose interest in their studies in the upper years. "If law faculties wish to counter these attitudes, they should welcome the chance to motivate their students by giving them a larger vision of their calling, a sense of what a life of leadership in the Bar might entail, an awareness of the urgent problems of the profession that they could help to resolve", Bok writes. He goes on to praise the recent efforts to revise the Harvard Law School curriculum with these problems in mind. A committee of law professors recently set about implementing a series of radical reforms for this most traditional of law schools, including an extensive clinical programme.

Whether such a practical approach represents the New Wave of legal education remains to be seen. But its influence is bound to be felt by students everywhere. Law schools, at the risk, God forbid, of being pedestrian, are recognising that if graduates are to be effective catalysts for dispute resolution they must take with them not only the substantive law but the skills of knowing how and when to apply it, just as a surgeon must not only know the functions of the body, but also have the manual skills to cut and suture.

Quid Novi

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INSIDE OR OUT?

The Faculty Review Committee concluded that the Faculty of Law is a good faculty that can become a great one. But good institutions do not effortlessly become great. Such a transition requires exceptional and far-sighted leadership and the support of individuals working with determination and energy.

To date, there is little evidence that Faculty members participate in such a process. On the contrary, prevailing attitudes tend to conservatism and self-interest.

As the Faculty Review concluded, besides scarce resources, the main obstacle to creating a great Law School at McGill is Faculty governance.

The Faculty may not lack the core of talented and dedicated scholars that would be necessary to transform a good law school into a great one. But a power structure dominated by those professors who would have the most to lose in the event of any change ensures that conservatism prevails in Faculty policy. Senior Faculty members, no longer motivated to engage in serious research or to update teaching techniques and materials, prevent superior and relevant scholarship and innovative teaching from becoming the rule instead of the exception.

With Faculty policy in this sorry state, Law students have an important role to play in creating the kind of law school that McGill should be. We must continue to agitate strongly for improvements in the School. We must inform the Faculty and the University with one voice that what we are being offered is simply not good enough.

Tomorrow's LSA referendum on Dean Selection continues a tradition of student interest in, and impatience with, Faculty policy and governance. We are asked, first, whether we would prefer a new Dean from within or outside the Faculty and second, which professor within the Faculty we would favour as Dean.

A new Dean, to be an effective leader, must combine vision with political savvy. The latter quality poses a different challenge for inside as opposed to outside candidates. The question for an insider, who presumably is familiar with the politics of the Faculty, is how to transcend the ties and barriers that result from participation in a political process. An outsider, however, must be able to seize control of an unfamiliar process.

From the beginning, then, the selection committee is apt to regard going outside the Faculty as inherently the more risky option. While an outsider may utterly fail to rally the Faculty, an insider is at least guaranteed of some support.

It may be that among Faculty members with sufficient stature to be eligible for consideration there is some one who combines the necessary vision and authority to

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I Didn't Want To Work There Anyway

Let's get this straight right now. I am not totally incompetent at getting jobs. I've worked here and there, now and then. When it comes to corporate law, though, I must admit that I am something less than fascinated, and that feeling tends to extend itself to corporate firms. So when I get letters from them saying (nicely) that they never want to see my face again, I smile nonchalantly and say, "I didn't want to work there anyway." Honest.

Item: Interviewing at the massively big firm of Ogilvy, Renault. The mere sight of their letterhead sends many students into agonies of ecstasy. Walking in, I saw that the receptionist had more desk space than I will probably ever have as a lawyer. The reception area is probably bigger than any office I will ever work in, for that matter. So I go

into the interview, and the first thing they notice on my c.v. is Skit Nite (what does that tell you about my c.v.?) "Hey John!" one cries gleefully to the other, "Do you remember when we worked on Skit Nite??" They proceeded to chat about the good old days for about five minutes while I tried to blend the appropriate mixture of interest and reserve on my face (after all I was basically an interloper). I almost asked whether I should perhaps leave them to reminisce alone for five minutes or so, when one of them asked, "I see a lot of human rights stuff on your c.v." What's that got to do with corporate law? was the implication, I assume. "Are you asking me about the morality of helping I.B.M. make another million dollars?" I was just trying to focus the question, you know. Well, he started writing down Meaningful Things on the paper in front of him and I

started getting nervous. When one gets nervous, one tends to talk more than is necessary, especially when one tends to do that anyway. The last thing they asked me concluded with the question: "...and maybe you could keep your answer under twenty-five words?" Sigh.

Oh, well. I didn't want to work there anyway.

Pearl Eliadis

Women and the Law Elections on Thursday at 4 p.m. in the Common Room. Wine and cheese afterwards. All Welcome.

Dean Selection Committee

All those interested in the selection of our next Dean are invited to express their views at a forum on Thursday October 13 at 1:00 in Room 204. Roger Cutler and Richard Janda, student representatives on the Dean Selection Committee, will be forwarding general recommendations and specific names to the Committee. This will be the last opportunity to bring prospective candidates to their attention, since applications for the position close on October 15.

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lead the Faculty out of the wilderness. If so, those qualities have remained well concealed. On the other hand, any outsider considered capable of penetrating the byzantine politics of the Faculty would already have had to exhibit truly exceptional qualities.

The problem this presents to the selection committee is obvious: acceptable and willing outside candidates will be much harder to find than insiders panting for the job.

Our interest is, unequivocally, to find the best person for the job, whether from inside or outside the Faculty. Highly qualified outside candidates may have to be actively, even energetically pursued: will the committee do so? A strong vote for an outside candidate will tell them they must.

Tomorrow's referendum will not elect the next Dean. Rather, it will provide a moral and political argument for the two Law students who make up only one quarter of the committee but represent the interests of hundreds of present and future McGill Law students.

A vote tomorrow says we are concerned about the directions of this Faculty. A vote for an outside candidate says we want the best possible Dean that can be found.

Peter Dauphinee

FIRST YEAR CLASS PRESIDENTS ELECTION Thursday October 6

Candidates:

B.C.L. I
Nathalie MERCURE
James PAPADIMITRIOTIS
Scott TURNER
Anna YANG

LL.B. I
Andrew FOTI
Graeme FRASER

Legal Marathoners

by Irene D. Reese

It all began last Sunday at 9:20 a.m. on the Jacques Cartier Bridge. 10,000 people gathered together on the sunny, windswept tarmac to run Montreal's fifth annual Marathon race.

Conspicuous among the thousands was a small group of runners from the McGill law school -- all smiling broadly, and all wearing singlets emblazoned with the motto, "Legs for peace, not arms for war". Like everyone else on the bridge, they were stretching and warming up for the big event. Gary Lawrence was on his 104th push-up, and going strong (obviously, he had forgotten to read his singlet); Jill Hugessen was putting a bandaid on her left thumb; a cross-legged Claire Rothman sat nearby chanting ohms; while Ian Fraser munched on his famous, energizing recipe of bananas and homemade beer. Meanwhile, Paul Wickens and Mike Larivière were bending over backwards touching their heels in a feverish attempt to give the group some semblance of normalcy.

But what really took one's breath away was the figure in the centre of the group - a tall, lanky man silhouetted against the pale, autumn sun. The moment you spotted him you knew he was a pro - his Nike Tofu jogging shoes quivered in anticipation; his long long (look up kiddies... wa-a-ay up) long, sinewy legs were taut with readiness; his soybean shorts and sesame singlet hung loosely on his spare frame. His eyes shone with a zealot's fiery intensity, bloodshot from lack of sleep (it is said that he loses at least two hours of sleep every night worrying about the

plight of Canada's baby seals); his fist was raised defiantly in black salute.

Who was this figure? You guessed it. It was none other than Rick F. Goldman (alias F. Jasper Miles).

When asked about the race, Rick made the following enigmatic comment: "I used to specialize in track meets, but then I became a vegetarian."

Rick says that vegetarianism and racing go hand in hand (or is that foot in foot?) And Rick should know. Although he might balk at the analogy, he runs like the MX Missile itself. He took off in a cloud of dust at the starting line (and raising dust from asphalt is no mean feat!). Minutes later, he sped past the 5 km mark shouting, "Do you realize that not one animal had to die for this race?"

Just beyond the 10 km mark on St. Denis street, he was seen ducking into his favourite hangout, the Commensal Restuarant, for a granola bar.

Choosing granola over fast food paid off, because at the 30 km. mark, Rick's feet were barely touching the ground. Law student spectator, Carol Sheppard, thinks she may have seen him in this final leg of the race.

"It was incredible!" she exclaimed. "This blur of black and gold whizzed by me. He hardly seemed human, he was going so fast. But I saw a black armband raised in salute - it could only have been Rick -- and a voice shouted, "Life is a marathon, in autumn, in Montreal".

At the finish line, the legal marathon group gathered to pay homage to the man who had meant so much to them. It seems that he was an inspiration to many who ran that day. Gary (who finished in approximately 2:54) and his running partner, Paul (approximately 3:04), both swore, "We owe it all to Rick".

Jill (approximately 3:11) claimed that what got her through the race was fantasizing about Rick's zucchini crust pizza. "Vegetarianism forever!" she cried.

Claire (approximately 3:29) ecstatically exclaimed that Rick and God were one. Ian (approximately 3:32) was too tired to say anything, but we all know he would share his bananas and beer with Rick any old day of the week.

One crucial question, however, remains unanswered. WHAT HAPPENED TO RICK?

The last anyone heard of him, he was speeding past the 30 km mark, his black and gold singlet shimmering in the sun. Popular myth now has it that he turned into a black, shiny missile and flew away. The legal marathoners all believe this story and are evolving into a quasi cult, singing daily prayers for him and awaiting his return.

The Quid's more reasonable hypothesis is that he is running still, somewhere out in the streets of Montreal, chuckling to himself that life is indeed a marathon, in autumn, in Montreal.

Ed. Note: No more pseudonyms please!

I.L.S.

The International Law Society will be holding its first general meeting, open to all interested students, on Thursday, Oct 6 at 1:00 p.m. in room 203.

The ILS is planning to become involved in various projects during the academic year, but the extent of the success of these ventures depends upon student participation.

First, a sub-group of the ILS, the "International Human Rights Advocacy Group", is organizing a film series on the curtailment of human rights in various parts of the world. The group also has asked representatives of American Watch, Inter Amicus and the Canadian Civil Liberties Union to speak at the faculty.

Second, the ILS is still in the process of organizing a Speakers Program. Two speakers of interest to the student body have already committed themselves. Dr. Milde, Chief Legal Officer, International Civil Aviation Organization, will speak on the KAL 007 incident and Prof. Skilling of the University of Toronto will discuss "Human Rights in Eastern Europe".

Third, the ILS and Le Club des Relations Internationales of the University of Montreal will be co-sponsoring a conference March 5-6, 1984 on "The Independence of Canadian Foreign Policy vis-à-vis the United States."

Fourth, the ILS is compiling a list of private international law firms in major North American cities. Surveys will be sent to approximately 1,000 firms to determine the practical value of the "National Program" in the eyes of these potential employers, and to solicit information that would

be useful to students in their course selection. Graduates of the National Program will also be contacted to determine whether their course of studies prepared them well for international law related work.

This last project will require the assistance of many students, and those interested in practising private international law in the future are welcome to come and help their own cause. Any students wishing to see the ILS become involved in other projects are encouraged to come to the general meeting on Thursday and share their ideas.

Rick Goossen

Lebel

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voir tirer une distinction. En effet, ce qui l'intéresse surtout, bien qu'elle qualifie l'administration des conventions collectives et les griefs de fascinants, ce sont certains cas, certains dossiers soulevant des problèmes particuliers. De l'avis du professeur LeBel, le droit du travail débouche sur de nombreux domaines, notamment le constitutionnel, l'administratif et le droit public en général. Il débouche également sur des domaines variés d'industries où l'important, "c'est de comprendre ces gens-là, de comprendre leur réalité économique et de connaître leurs préoccupations". De toute façon, sa pratique très diversifiée l'amène à avoir plusieurs centres d'intérêts dans le domaine du droit du travail.

En ce qui a trait au droit du travail au Québec, le professeur LeBel constate de nombreuses lacunes au sein du Code. Elle démontre notamment la présence d'une loi anti-scabs, que

35th Anniversary of the Universal Declaration of Human Rights

Phi Delta Phi is honoured to present one of its most distinguished members, Professor John P. Humphrey O.C. on Wednesday October 12 in the Moot Court. Dr. Humphrey played an important role in preparing the first draft of the Universal Declaration of Human Rights and was the first Director of the U.N. Secretariat's Division of Human Rights from 1926 to 1966. It is most appropriate that he should help us to commemorate the anniversary of the Universal Declaration.

Michael R. Concister
Historian
Phi Delta Phi Fraternity

l'on ne retrouve pas dans les autres juridictions canadiennes mais elle s'insurge principalement contre le retard dont souffre le Québec quant à la correction des pratiques déloyales. En effet, le Code prévoit un recours pénal et non un recours administratif, sauf ce qui est prévu à l'article remédie aucunement au problème et un recours au Conseil, comme le prévoient l'Ontario, la Colombie-Britannique et le fédéral s'avère souvent beaucoup plus curatif que de condamner l'employeur à une amende.

Le professeur LeBel a dit considérer son expérience à la Faculté comme un défi et n'être pas certaine d'être à la hauteur. Cependant, elle déclarait aussi que "l'on apporte à l'enseignement ce que l'on est, ce que l'on a acquis ailleurs". J'ai la ferme conviction qu'elle nous apportera beaucoup!

Entrevue Avec Prof. LeBel

par Julie Tessier Latour

"Je maintiens l'équilibre avec mon ami le professeur Heenan" m'a déclaré à quelques reprises Me Hélène LeBel, nouveau professeur de droit du travail à la faculté. En effet, il n'y a pas de doute que le professeur LeBel se situe à un pôle idéologique opposé de celui de son collègue Heenan. Si elle consacre sa pratique aux syndicats, ce n'est certainement pas par hasard mais par choix, par conviction, a-t-elle maintenu.

C'est une avocate passionnée de droit du travail que j'ai eu l'occasion de rencontrer; une femme dynamique qui vous transmet rapidement son engouement pour ce domaine du droit. On comprend pourquoi elle fut une des premières femmes à se consacrer au droit du travail en pratique au Canada, tout comme elle fut la première femme et le plus jeune membre au Conseil Canadien des relations de travail, duquel elle fut d'ailleurs vice-présidente, de 1974 à 1977.

Madame LeBel est entrée au Barreau en 1967, après des études à l'Université de Montréal. Après un séjour très bref dans le domaine de la pratique, elle opte pour le programme de maîtrise de Harvard, où elle étudie auprès du grand penseur du droit du travail Archibald Cox (qui fut aussi un des procureurs dans l'affaire du Watergate). Sa maîtrise, qu'elle obtient en 1968, traite d'un sujet canadien très avant-gardiste à l'époque, Loi sur les relations de travail dans la fonction publique fédérale. Elle opte par la suite pour Oxford, où elle prépare un doctorat pendant un an, avant de retourner à Harvard où elle étudie aussi la com-

mon law.

Mais arrive 1970 et ses répercussions au Québec... et Madame LeBel ne publiera jamais sa thèse, préférant rentrer au bercail. Lorsque je lui demande si elle a des regrets, elle me répond par l'affirmative, en mentionnant qu'elle considère après-coup sa thèse comme très publiable, alors qu'elle n'en voyait malheureusement à l'époque que les lacunes.

A son retour de Harvard en 1970, le professeur LeBel a enseigné à demi-temps à l'Université de Montréal pour une période de trois ans. Elle fut par la suite, comme je le mentionnais précédemment, Vice-président du Conseil canadien des relations de travail avant d'entrer en 1977, au cabinet Montréalais Rivest, Castiglio, Catstiglio, LeBel où elle est associée.

A ma question "Pourquoi McGill?" elle m'a répondu avoir accepté l'invitation qui lui était faite par la faculté pour le présent semestre (le professeur Morissette n'étant pas disponible), afin de satisfaire sa curiosité face à McGill et enseigner en anglais. Elle souhaitait de même se familiariser avec des étudiants formés, selon elle, dans la tradition américaine, mettant l'emphasis sur la discussion et la participation, alors que ce n'est pas le cas à l'Université de Montréal, sauf pour une infime part du corps professoral. Madame LeBel d'ailleurs qualifié la Faculté de droit de l'Université de Montréal de plus ou moins antipédagogique, puisque l'on y enseigne le droit comme étant une science exacte alors que, selon elle, la méthode la plus appropriée pour former des gens en

droit est de leurs apprendre à raisonner, à répondre à des questions et à analyser des cas. Selon le professeur LeBel, c'est ainsi que doit s'enseigner le droit car, après leurs trois ou quatre années à l'Université, les étudiants se voient de toute façon confrontés à des décisions et à des lois nouvelles.

Le droit n'étant pas une science exacte son enseignement est, toujours selon le professeur LeBel, inévitablement subjectif, à tout le moins dans le domaine du droit du travail. L'opinion personnelle et la façon de visualiser le droit du professeur ne peuvent en effet qu'inciter les étudiants à mieux réfléchir. "Même les étudiants très pro-syndicalistes apprécient le professeur Heenan, et je souhaite que l'inverse soit vrai", a-t-elle déclaré! Car finalement, l'important selon elle est de susciter la réflexion. Elle est d'ailleurs très satisfaite d'avoir un groupe restreint d'étudiants (environ une quinzaine), ce nombre étant beaucoup plus propice au type d'enseignement qu'elle préconise.

De son expérience au Conseil canadien des relations de travail, elle dit que cela lui a apporté une grande connaissance du Code fédéral, laquelle lui permet de mieux comprendre l'approche nord-américaine des autres juridictions approche beaucoup plus judiciarisée et administrative que celle du Québec. Cette expérience lui a aussi permis de siéger comme juge et de se familiariser avec les différentes industries du pays.

Son champ d'intérêt dans le domaine du droit du travail? Le professeur LeBel n'est pas assurée de pour-

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